

MONDAY, FEBRUARY 25, 1991

FOURTEENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by James Watkins, Church Street Church of Christ, Lewisburg.

Representative Phillips led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Meyer; due to out-of-town meeting.

Representative Nuber; due to death in the family.

Representative West; due to illness.

CONSENT CALENDAR

House Bill No. 0454 -- County Officers -- Abolishes office of constable in Blount County. Amends TCA 8-10-101, 108, 39-6-616,

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

40-6-210, 55-8-152, 55-9-414, 57-5-202, 57-9-101.

On motion, House Bill No. 454, was made to conform with Senate Bill No. 358.

On motion, **Senate Bill No. 358**, on same subject, was substituted for House Bill No. 454.

Senate Joint Resolution No. 0077 -- Memorials, Public Service -- Senator Bill Richardson.

Senate Joint Resolution No. 0084 -- Memorials, Public Service -- Billy Frank Hendley.

***House Bill No. 0028** -- Surveyors -- Allows for establishment of continuing educational requirements for surveyors. Amends TCA 62-18-106.

On motion, House Bill No. 28, was made to conform with Senate Bill No. 97.

On motion, **Senate Bill No. 97**, on same subject, was substituted for House Bill No. 28.

House Resolution No. 0012 -- Memorials, Public Service -- Neal Ford.

House Joint Resolution No. 0105 -- Memorials, Personal Achievement -- Brandy Anderson, 1991 Hostess Princess.

House Bill No. 1497 -- Claiborne County -- Repeals prohibition against fireworks. Repeals Chapter 869, Private Acts of 1949.

House Bill No. 1498 -- Saulsbury -- Modifies term of office and date of election for mayor and aldermen. Amends Chapter 336, Acts of 1901, as amended.

House Bill No. 1499 -- Oliver Springs -- Changes election and term of city judge. Amends Chapter 247, Acts of 1909, as amended.

House Bill No. 1500 -- Alamo -- Changes term of office of mayor and aldermen from two to four years; requires ratification by referendum. Amends Chapter 557, Private Acts of 1911, as amended.

House Bill No. 1501 -- Knox County -- Adds one district attorney general position. Amends Chapter 58, Private Acts of 1981, as amended.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	90
Noes.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Harrill, Haun, McKee -- 3.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Joint Resolution No. 0025 -- Highway Signs -- Jimmy Mann
Evans Highway, U.S. 412.

Rep. Holt moved that House Joint Resolution No. 25 be adopted, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

A motion to reconsider was tabled.

***House Bill No. 0283** -- Pensions and Retirement Benefits -- Allows employment of retired employees as substitute teachers without losing benefits under certain circumstances. Amends TCA 8-36-805.

On motion, House Bill No. 283 was made to conform with Senate Bill No. 406.

On motion, **Senate Bill No. 406**, on same subject, was substituted for House Bill No. 283.

Rep. Rhinehart moved that **Senate Bill No. 406** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 0421** -- Insurance, Credit Life -- Clarifies credit life requirements as to intent of present law to encourage insurers to compete in the market for unequal reducing term insurance and meet needs of consumers. Amends TCA 56-7-908.

Rep. Rhinehart moved that House Bill No. 421 be passed on third and final consideration.

Rep. Dixon moved to amend as follows:

Amendment No. 1

Amend House Bill 421 by adding a new section to immediately precede the effective date section:

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

SECTION ____. No policy or certificate of credit life insurance shall be delivered or issued for delivery to any person in this state unless each individual debtor signs a form indicating that such debtor has accepted or declined the option of credit life insurance.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that **House Bill No. 421**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Dixon -- 1.

A motion to reconsider was tabled.

House Bill No. 0406 -- Surveyors -- Adopts Tennessee Coordinate System of 1983, as only system recognized and used after 12/31/92. Amends TCA, Title 66, Ch. 6, Pt. 1. Repeals TCA 66-6-101--107.

Rep. Robinson (Davidson) moved that House Bill No. 406 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 406 by deleting from line 5 of the fourth paragraph of the preamble, the language "the acceptable system", and by substituting instead the language "an acceptable system".

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

Further amend, in Section 2, subsection (a) by deleting from line 4, the language: "United States Coast Geodetic Survey", and by substituting instead the language: "United States Coast and Geodetic Survey".

Further amend, in Section 4, subsection (a), by deleting from line 8 of the second paragraph the language: "(2,000,000) feet and y (northing = one hundred thousand", and by substituting instead the language: "(2,000,000) feet and y (northing) = one hundred thousand".

Further amend, in Section 6, paragraph 2, by deleting from line 4, the language: "Coordinate system", and by substituting instead the language: "Coordinate System".

On motion, Amendment No. 1 was adopted.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 2

Amend House Bill No. 406 by adding the following at the end of the original section 2(d):

Provided, however, that any computer software designed prior to such date may continue to use the Tennessee Coordinate System of 1927 in its applications relative to redistricting.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Robinson (Davidson) moved that **House Bill No. 406**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

(Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Haun -- 1.

A motion to reconsider was tabled.

House Bill No. 0617 -- Highways, Roads and Bridges -- Permits county road department to pave certain areas not on official county road map. Amends TCA, Title 54, Ch. 7.

Rep. Buck moved that House Bill No. 617 be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 617 by deleting the word "pave" wherever it appears and by substituting instead the word "maintain".

AND FURTHER AMEND by adding after the words "school board" in subdivisions (1) and (2), the words "or education department".

AND FURTHER AMEND by deleting the word "sole" in the fifth line of amendatory subdivision (1).

AND FURTHER AMEND by adding in the sixth line of amendatory subdivision (1) after the words "postal vehicles with a" the words "route and a".

On motion, Amendment No. 1 was adopted.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 617 by adding a new subdivision (3), as follows, at the end of the amendatory language of Section 1:

3) The provisions of this subsection shall not apply in any county with a population of four hundred thousand (400,000) or more, according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved to amend as follows:

Amendment No. 3

Amend House Bill No. 617 by adding a new sentence, as follows, at the end of subdivision (1) of the amendatory language in Section 1:

The county shall obtain written permission from the owner of any property proposed to be used as a turnaround area prior to commencing any work on that property.

On motion, Amendment No. 3 was adopted.

On motion of Rep. Callicott, Amendment No. 4 was withdrawn.

Thereupon, Rep. Buck moved that **House Bill No. 617**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	4
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Chiles, Hubbard, Joyce, Sipes -- 4.

Representatives present and not voting were: Holcomb -- 1.

A motion to reconsider was tabled.

***House Bill No. 0370** -- Education, Higher -- Creates university student community service recognition program. Amends TCA, Title 49, Ch. 7.

Rep. Love moved that House Bill No. 370 be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

Ayes.	93
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Givens -- 1.

A motion to reconsider was tabled.

***House Bill No. 0372** -- Education, Higher -- Creates university teacher community service recognition program. Amends TCA, Title 49, Ch. 7.

Rep. Love moved that House Bill No. 372 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Givens -- 1.

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

A motion to reconsider was tabled.

***House Bill No. 0557** -- Highways, Roads and Bridges -- Adds portions of certain highways to scenic highway system. Amends TCA 54-17-114.

Rep. McAfee moved that House Bill No. 557 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILL RECALLED

Rep. Johnson moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 71 from the Education Committee for immediate consideration, which motion prevailed.

***House Joint Resolution No. 0071** -- Naming and Designating -- Students In Free Enterprise Week (SIFE), March 1991.

On motion of Rep. Johnson, the resolution was adopted by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels,

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

BILL RECALLED

Rep. Holcomb moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 96 from the State and Local Government Committee for immediate consideration, which motion prevailed.

House Joint Resolution No. 0096 -- Naming and Designating -- Arbor Day, March 1, 1991.

On motion of Rep. Holcomb, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Hillis, House Bill No. 877 was recalled from the State and Local Government Committee.

On motion of Rep. Hillis, **House Bill No. 877** was withdrawn from the House.

PRESENT IN CHAMBER

Representative Chumney and Kernell were recorded as being present in the Chamber.

REFERRED TO DELAYED BILLS COMMITTEE

Pursuant to House Rule No. 78, House Bill(s) No(s). 1515, having been prefiled, has/have been referred to the Delayed Bills Committee for its approval for introduction.

House Bill No. 1515 -- District Attorneys -- Gives credit on district attorney general salary schedule for other state service. Amends TCA 8-7-201. by *Phillips.

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 98: Rep(s). Sipes as prime sponsor(s).
House Bill No. 114: Rep(s). Sipes as prime sponsor(s).
House Bill No. 144: Rep(s). Sipes as prime sponsor(s).
House Bill No. 147: Rep(s). Sipes as prime sponsor(s).
House Bill No. 178: Rep(s). Sipes as prime sponsor(s).
House Bill No. 204: Rep(s). Sipes as prime sponsor(s).
House Bill No. 212: Rep(s). Sipes as prime sponsor(s).
House Bill No. 231: Rep(s). Sipes as prime sponsor(s).
House Bill No. 277: Rep(s). Sipes as prime sponsor(s).
House Bill No. 336: Rep(s). Sipes as prime sponsor(s).
House Bill No. 359: Rep(s). Sipes as prime sponsor(s).
House Bill No. 433: Rep(s). Sipes as prime sponsor(s).
House Bill No. 448: Rep(s). Sipes as prime sponsor(s).
House Bill No. 463: Rep(s). Sipes as prime sponsor(s).
House Bill No. 464: Rep(s). Sipes as prime sponsor(s).
House Bill No. 469: Rep(s). Sipes as prime sponsor(s).
House Bill No. 543: Rep(s). Sipes as prime sponsor(s).
House Bill No. 549: Rep(s). Sipes as prime sponsor(s).
House Bill No. 757: Rep(s). Johnson as prime sponsor(s).
House Bill No. 774: Rep(s). Cross and Knight as prime sponsor(s).
House Bill No. 1094: Rep(s). Bragg as prime sponsor(s).

REQUESTS TO BE ADDED AS SPONSORS

The following members requested to add their names as sponsors as indicated below, the prime sponsor having agreed to such

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

addition. Sponsorship was not granted since request was made after passage of said bill.

House Bill No. 52: Rep(s). Sipes.

INTRODUCTION OF RESOLUTIONS

On motion, the following resolutions were introduced and referred as noted:

House Joint Resolution No. 0107 -- Memorials, Professional and Business Achievement -- Bob and Ted Franklin, Chattanooga architects. by *Wix, *Turner B.

Referred by the Speaker to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0085 -- Memorials, Death -- Claybourne Ross.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0086 -- Memorials, Sports -- Franklin High School soccer team.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0090 -- Memorials, Public Service -- Missy Eakin.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0092 -- Memorials, Personal Achievement -- Valerie K. Bryant, Mrs. Tennessee 1991.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0093 -- Memorials, Death -- Dr. Charles O. Whitehead.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0094 -- Memorials, Professional and Business Achievement -- Johnny Majors, Tennessean of the Year.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0095 -- Memorials, Illness -- Shelvy M. Martin.

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0096 -- General Assembly, Statement of Intent or Position -- Expresses support for armed forces in Operation Desert Storm.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0098 -- Memorials, Public Service -- Chaplain David Cooper.

Referred by the Speaker to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1514 -- Trenton -- Revises salaries and benefits of city judge. Amends Chapter 551, Acts of 1903, as amended. by *Davis Ray.

Passed first consideration.

SENATE BILLS TRANSMITTED AND HELD

On motion, the bills listed were introduced and passed first consideration:

***Senate Bill No. 0147** -- Insurance Companies, Agents, Brokers -- Redefines "commercial risk insurance" under Cancellation of Commercial Risk Insurance Act by deleting workers' compensation insurance. Amends TCA 56-7-1802. (HB 0693).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0151** -- Election Laws -- Codifies case law relative to inmates' voting rights and procedures for casting ballots. Amends TCA, Title 2, Chs. 2, 6. (HB 0621).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0188** -- Pensions and Retirement Benefits -- Authorizes Tennessee Association of County Executives and employees to participate in TCRS. Amends TCA, Title 8, Ch. 35, Pt. 2. (HB 0266).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0230** -- Election Laws -- Moves qualifying deadline to third Thursday of third calendar month before election. Amends TCA 2-5-101. (HB 1362).

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

Held pending third consideration of companion House Bill.

***Senate Bill No. 0231** -- Municipal Government -- Revises mayor alderman form of municipal government. Amends TCA, Title 6, Chs. 1, 2, 6-18-103; Title 6, Ch. 54, Pt. 1. (HB 1019).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0472** -- Children -- Revises criteria for termination of parental rights. Amends TCA 37-1-147. (HB 0418).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0479** -- Election Laws -- Requires county election commissions to be notified of primary in writing; clarifies qualifying deadline for certain candidates in certain primaries. Amends TCA 2-13-203. (HB 1057).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0495** -- County Government -- Authorizes compensation for county board of public utility serving two or more counties. Amends TCA 5-16-103. (HB 0416).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0586** -- State Employees -- Clarifies eligibility of certain professional employees for automatic salary advancements. Amends TCA 8-50-102. (HB 1080).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0589** -- Correctional Programs -- Specifies certain counties where prisoners may apply for work release. Amends TCA 41-2-128. (HB 1056).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0618** -- Municipal Government -- Abolishes office of city constable in Sevierville. Amends Chapter 432, Public Acts of 1979. (HB 0414).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0702** -- Marriage -- Validates marriages performed by judicial commissioners. Amends TCA, Title 36, Ch. 3. (HB 0670).

Held pending third consideration of companion House Bill.

Senate Bill No. 0708 -- Holidays -- Makes Father's Day day of special observance. Amends TCA, Title 15. (*HB 0098).

Held pending third consideration of companion House Bill.

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

***Senate Bill No. 0766** -- Taxes -- Revises certain tax obligations of certain financial institutions. Amends TCA 67-4-804--806, 815, 817, 67-4-903, 914, 919. (HB 0768).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0879** -- Alcoholic Beverages -- Authorizes issuance of "wine only" permits. Amends TCA, Title 57, Ch. 4. (HB 1481).

Held pending third consideration of companion House Bill.

Senate Bill No. 1122 -- Teachers -- Allows retired teachers to serve as school board members or county commissioners in certain counties. Amends TCA, Title 8, Ch. 36, Pt. 8. (*HB 0367).

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 1508 -- Oliver Springs -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1509 -- Rives -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1510 -- Collierville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1511 -- Knox County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1513 -- Hawkins County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

RULES SUSPENDED

Rep. Walley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 108 out of order, which motion prevailed.

House Joint Resolution No. 0108 -- Memorials, Public Service -- Chaplain David Cooper, Hardeman County community honoree. by *Walley.

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Walley, the resolution was adopted.

A motion to reconsider was tabled.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
February 25, 1991**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1494 and 1511.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 25, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, February 28, 1991: House Joint Resolution(s) No(s). 107; House Bill(s) No(s). 1494 and 1511; Senate Joint Resolution(s) No(s). 85, 86, 90, 92, 93, 94, 95, 96 and 98.

PHILLIPS, Chair.

**MESSAGE FROM THE SENATE
February 25, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1124; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE GOVERNOR
February 25, 1991**

MR. SPEAKER: I am directed by the Governor to return here with: House Bill(s) No(s). 7, 10, 17, 65, 150, 177, 179, 272, 368, 635 and 636; also, House Joint Resolution(s) No(s). 27, 48, 52, 57, 58, 60, 61, 64, 65 and 66; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

ENGROSSED BILLS
February 25, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 25; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
February 25, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 25; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
February 25, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 330; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
February 25, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 3, 4, 5, 72, 73, 76, 78, 80, 88, 89, 90, 94 and 97; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
February 25, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 29, 282, 817, 830 and 928; also, House Joint Resolution(s) No(s). 2, 68, 69, 92, 99 and 104; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MONDAY, FEBRUARY 25, 1991 -- FOURTEENTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

February 25, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 325 and 330; also, Senate Joint Resolution(s) No(s). 75; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

February 25, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 370, 372, 406, 421, 557, 617, 1497, 1498, 1499, 1500 and 1501; also, House Joint Resolution(s) No(s). 71, 96, 105 and 108; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

Rep. Purcell moved that the House stand in recess until 2:00 p.m., Wednesday, February 27, 1991, which motion prevailed.